

MARKED-UP VERSION (per § 1.121(b)(2))

Please REPLACE the Abstract as follows:

~~A method and apparatus are disclosed for processing requests from a traveler for a travel product priced in accordance with a specified degree of flexibility. A traveler's specified degree of flexibility is evaluated to determine an appropriate price and corresponding customized restrictions. Each travel product is evaluated in terms of one or more variable components, each having a range of possible options. For each applicable variable component, the traveler specifies his or her degree of flexibility, if any. The stated degree of flexibility is used to evaluate the traveler's tendency toward a business or leisure status and to determine appropriate restrictions for the individual traveler and a corresponding price. The traveler's degree of flexibility is evaluated and the resulting flexibility rating is utilized to determine a price, such as a discount off of an established price, such as a published commercial fare for a travel product. The flexibility rating can be compared to flexibility ratings for a hypothetical extreme leisure traveler (most flexible traveler) and a hypothetical extreme business traveler (least flexible traveler) to derive a corresponding price. The present invention rewards a traveler that commits to a specified degree of flexibility for a travel product with a discounted fare, subject to one or more customized restrictions. In a "voucher-sale" embodiment, a voucher is issued to a traveler that establishes a right to travel, subject to customized restrictions that are based in part on the specified degree of flexibility, and optionally further subject to availability. In a "confirmed sale" embodiment, confirmed or reserved tickets are provided after the traveler's specified degree of flexibility has been evaluated and a corresponding price has been established. In a buyer-driven embodiment, the traveler specifies a maximum price for which the traveler will commit to a specified degree of flexibility.~~

According to one or more embodiments of the present invention, a method and apparatus are provided that allow for receiving from a customer a request to purchase a travel product. The travel product is associated with at least one variable component and the request includes information about a first flexibility of the customer. At least one travel product is determined based on the first flexibility of the customer, and a score is determined based on the first flexibility of the customer. A discount is determined based on the score, a minimum flexibility score, and a maximum flexibility score.

**R E M A R K S****A. STATUS OF CLAIMS / CONDITION FOR ALLOWANCE**

All of the pending claims (Claims 95-111) are allowable. We are grateful for the Examiner's statement that the application is in condition for allowance but for an alleged formality in the manner the amendment to the Abstract was presented.

**B. IMPROPER AMENDMENT TO ABSTRACT / COMPLIANCE WITH 37 C.F.R. § 1.72**

The Examiner had previously required us to submit an Abstract that complied with the length requirement of 37 C.F.R. § 1.72. We attempted to comply in our reply of October 27, 2005, in which we submitted a marked-up replacement Abstract (although we admittedly failed to underline the new text).

The Examiner finds the content of our new Abstract acceptable, but the Examiner requires us to provide a "clean copy" of our new Abstract. The Examiner appears to find that our previous Amendment is non-compliant with Rule 72. The Examiner appears to find it improper that our submitted replacement Abstract included markings indicating text deleted from the previous version. We admit that we are confused by this finding.

However, we have done our best to comply with both the Examiner's wishes for a "clean copy" (allegedly per Rule 72) and with the rules governing amendments to the Specification (Rule 121).

To that end, we have provided a "clean copy" of the new Abstract on a separate page of this paper.

To the best of our knowledge, any amendment to the Specification (except to the claims) must be in compliance with one of Rule 121(1) or (2). Accordingly, in this paper we again provide a replacement Abstract section in compliance with Rule 121(2), which expressly requires markings to show all changes relative to the previous version.

If the Examiner has any remaining concerns regarding the new Abstract, the manner in which it is amended, or with any other aspect of this Application, we invite the Examiner to contact the undersigned representative at the Examiner's convenience.

C. CONCLUSION

This application is in condition for allowance.

If the Examiner has any questions regarding this amendment or the present application, the Examiner is cordially requested to contact Michael Downs at telephone number (203) 461-7292 or via electronic mail at mdowns@walkerdigital.com.

Respectfully submitted,

A handwritten signature in black ink that reads "Michael Downs". The signature is written in a cursive style and is positioned above a horizontal line.

March 20, 2006  
Date

Michael Downs  
Attorney for Applicants  
Registration No. 50,252  
mdowns@walkerdigital.com  
(203) 461-7292 /voice  
(203) 461-7300 /fax